

S. R. No. 545—By Senator Herring: Extending congratulations to David Crockett High School Students for Texas Independence Day program.

S. R. No. 547—By Senator Blanchard: Extending congratulations to students participating in Austin Area Special Olympics.

S. R. No. 548—By Senator Blanchard: Extending congratulations to Lieutenant Lee Bartlett, Jr., "Outstanding Law Enforcement Officer of the Year."

S. R. No. 549—By Senator Hall: Extending welcome to Augusto Vivas of Lima, Peru.

S. R. No. 550—By Senator Herring: Extending welcome to teacher, Second and Third Grade Students, Oak Springs Elementary School.

S. R. No. 552—By Senator Watson: Extending congratulations to Slavonic Benevolent Order of the State of Texas.

S. R. No. 555—By Senator Watson: Extending congratulations to Sidney Jack Stem, Herman Ray Cockerham, Leon Fernandez Hardee and Willis Burton Summers on receipt of Silver Beaver Award.

S. R. No. 562—By Senator Watson: Extending welcome to Dr. Jack Thornton, et al.

S. R. No. 563—By Senator Wallace: Extending congratulations to citizens of Acres Home Area of Houston.

S. R. No. 564—By Senator Bates: Extending congratulations to Raul Tijerina, Sr.

S. R. No. 568—By Senator Hall: Extending welcome to Miss Mary Lea Pemberton.

S. R. No. 569—By Senator Hall: Extending welcome to Miss Phyllis Mathews.

S. R. No. 570—By Senator Hall: Extending welcome to Miss Judy Brown.

S. R. No. 571—By Senators Bernal and Kothmann: Extending welcome to teachers and students from Tafolla Junior High School, San Antonio.

S. R. No. 572—By Senator Aikin: Extending welcome to the Honorable M. D. Emerson, et al.

Adjournment

On motion of Senator Aikin the Senate at 12:00 o'clock M., adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

March 2, 1971

S. C. R. No. 35.

THIRTIETH DAY

(Wednesday, March 3, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Connally.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 3, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 91, A bill to be entitled "An Act authorizing all State Agencies and Institutions to make advance payments to Federal and State Agencies for merchandise purchased from such agencies when advance payments will expedite the delivery of the merchandise; and declaring an emergency."

H. C. R. No. 62, In memory of Doyle Oliver Curington.

H. B. No. 235, A bill to be entitled "An Act establishing the duties of public school principals; and declaring an emergency."

H. B. No. 343, A bill to be entitled "An Act adopting the Water Code, a formal revision of the general and permanent statutes relating to water rights, water development, water quality control, river compacts, and general law districts; repealing the statutes replaced by the Code; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Presentation of Guests

Pursuant to the provisions of S. R. No. 524, Senators Aikin, Beckworth, McKool, Watson, and Word escorted General and Mrs. Beverley E. Powell to the President's Rostrum.

The President recognized Senator Watson, who introduced the following members of the General's party: Dr. C. E. Ellison of Killeen, Ken Clapp, Eugene Hoelscher, Austin Peay, Ted Connell, Dennis Duty, Dick Wilson, Nicki Martin and Debbie Deblonski.

Senator Watson then presented Senator Aikin, who introduced General Powell.

General Powell addressed the Senate, expressing his appreciation for the honor of being present to participate in the recognition of the 21st annual celebration of Public School Week. He then spoke of the interest which the members of the military have in Public Education and of the manner in which they participate to assist in the constant improvement of education in Texas.

The President expressed the appreciation of the Senate for General Powell's appropriate and timely remarks and for the visit to the Senate by General Powell and the other citizens of Killeen.

Reports of Standing Committees

Senator Wilson submitted the following report for the Committee on Constitutional Amendments:

S. J. R. No. 23.

Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

C. S. S. B. No. 272 (Read first time).

Senator Herring submitted the following reports for the Committee on Jurisprudence:

S. B. No. 335.

S. B. No. 273.

S. B. No. 146.

S. B. No. 155.

S. B. No. 156.

S. B. No. 157.

S. B. No. 158.

S. B. No. 68 (Amended).

Senator Jordan submitted the following reports for the Committee on Labor and Management Relations:

S. B. No. 69 (Amended).

S. B. No. 78.

S. B. No. 261 (Amended).

S. B. No. 364.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator Bernal:

S. B. No. 477, A bill to be entitled "An Act promoting and protecting the welfare of the people of Texas by prevention and elimination of certain unreasonable practices and policies, including discrimination based upon race, color, religion, national origin, age, or sex; providing for remedies and penalties; creating a Texas Human Relations Commission; providing for local sections thereof and defining the functions, powers, and duties of the Commission; regulating the relation between the State commission and local commissions; amending Chapter 446, Acts of the 61st Legislature, Regular Session, 1969 (Article 1c, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on State Affairs.

By Senator Mauzy:

S. B. No. 478, A bill to be entitled "An Act relating to the prima facie speed limits for certain vehicles; amending Subsection (a), Section 166, Uniform Act Regulating Traffic on Highways, as amended (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Transportation.

By Senator Mauzy:

S. B. No. 479, A bill to be entitled "An Act permitting direct suits against liability insurers; adding Article 21.51 to the Texas Insurance Code; and declaring an emergency."

To Committee on Insurance.

By Senator Mauzy:

S. B. No. 480, A bill to be entitled "An Act relating to the creation, powers, and duties of the Texas Industrial Training Council; and declaring an emergency."

To Committee on State Affairs.

By Senator Mauzy:

S. B. No. 481, A bill to be entitled "An Act providing for a required course in consumer education in the public schools; amending the Texas Education Code by adding Section 21.120; and declaring an emergency."

To Committee on Education.

By Senator McKool:

S. B. No. 482, A bill to be entitled "An Act relating to regulation of the possession, transportation, and use of explosives; providing penalties and other sanctions; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 483, A bill to be entitled "An Act relating to the appointment of appraisers when letters testamentary or of administration or of guardianship are granted; amending Sections 181 and 248, Texas Probate Code, as amended; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 484, A bill to be entitled "An Act authorizing a person 18 years old or older to donate his blood to the American Red Cross, a blood bank operating under the supervision of a licensed physician, or a hospital licensed under the provisions of the Texas Hospital Licensing Law; and declaring an emergency."

To Committee on Public Health.

By Senator Connally:

S. B. No. 485, A bill to be entitled "An Act providing for the compensation of the Official Court Reporter of the 111th Judicial District Court of Texas; providing the manner of payment; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Connally:

S. B. No. 486, A bill to be entitled "An Act providing for the compensation of the official court reporter of the 49th Judicial District Court of Texas; providing the manner of payment; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Wilson:

S. B. No. 487, A bill to be entitled "An Act relating to the salaries of assistants to the county school superintendent in certain counties; and declaring an emergency."

To Committee on County, District and Urban Affairs.

House Bills on First Reading

The following bills received from the House were read the first time and referred to the Committee indicated:

H. B. No. 1, To Committee on County, District and Urban Affairs.

H. B. No. 453, To Committee on State Affairs.

H. B. No. 235, To Committee on Education.

H. B. No. 343, To Committee on Water and Conservation.

Messages From Governor

The following messages received from the Governor were read and referred to the Committee on Nominations:

Austin, Texas,
March 3, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the Board of Regents of Texas Tech University: For six-year terms to expire January 31, 1977: Bill E. Collins, of Lubbock, Lubbock County, to replace Marshall Formby, of Plainview, Hale County, whose term has expired; John James Hinchey, M.D., of San Antonio, Bexar County, to replace Roy Furr, Sr., of Lubbock, Lubbock County, whose term has expired; Johnny Clinton Formby, of Hereford, Deaf Smith County, to replace Retha R. Martin, of Lubbock, Lubbock County, whose term has expired.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

Austin, Texas,
March 2, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the Board of Directors of the Lower Colorado River

Authority: For six-year terms to expire January 1, 1977: Aubrey D. Voelkel, of La Grange, Fayette County, to replace Edward A. Arnim, of Flaton, Fayette County, whose term has expired; Roger Gilbert Zercher, of Blanco, Blanco County, to replace Tom Miller, Jr., of Austin, Travis County, whose term has expired; William C. (Bill) Petri, of Austin, Travis County, for reappointment; Thomas C. Ferguson, of Burnet, Burnet County, for reappointment.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

Austin, Texas,
March 2, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Board of Directors of the Upper Neches River Municipal Water Authority: For a six-year term to expire January 1, 1977: Wright Matthews, of Palestine, Anderson County, for reappointment.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

Austin, Texas,
March 2, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Texas Conservation Foundation: For a six-year term to expire January 31, 1977: C. H. Coffield, of Houston, Harris County, to replace Reagan Behrman Cates, of Victoria, Victoria County, whose term has expired.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

Austin, Texas,
March 2, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and con-

firmation of the Senate with respect to the following appointment:

To be a Member of the Texas Industrial Commission: For a six-year term to expire February 15, 1977: John B. Turner, Jr., of Houston, Harris County, to replace I. F. Bay, of Brownwood, Brown County, whose term has expired.

Respectfully submitted,
PRESTON SMITH
Governor of Texas

House Bill 283 on Second Reading

Senator Bernal moved that Senate Rules 13 and 110 be suspended and that H. B. No. 283 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 283, A bill to be entitled "An Act relating to a change in the method of computing deductions from wages and pensions for members of certain firemen and policemen's pension funds in certain cities; etc., and declaring an emergency."

The bill was read second time.

Senator Bernal offered the following amendment to the bill:

Amend H. B. No. 283, Senate Printing, as follows:

(1) Strike the words "(or more)" on line 15, page 2.

(2) Strike the phrase "plus one percent (1%) thereof for each additional full year over thirty (30) but not to exceed a total of seventy percent (70%) of such average total salary excluding overtime pay based on the member's five (5) highest paid years of service." on lines 22 through 26, page 2.

(3) Insert a period after the word "service" on line 22, page 2.

The amendment was read and was adopted.

On motion of Senator Bernal and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 283 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 283 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 381 on Second Reading

Senator Connally moved that Senate Rules 13 and 110 be suspended and that H. B. No. 381 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 381, A bill to be entitled "An Act amending Statutes, deleting as a game animal the American Bison or buffalo; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 381 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that

H. B. No. 381 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 382 on Second Reading

Senator Connally moved that Senate Rules 13 and 110 be suspended and that H. B. No. 382 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 382, A bill to be entitled "An Act repealing Article 978h, Texas Penal Code, as amended by Chapter 94, Acts of the 54th Legislature, Regular Session, 1955, and by Chapter 31, Acts of the 42nd Legislature, 1st Called Session, 1931, declaring buffalo to be game animals and providing for the disposition of same by permit."

The bill was read second time and was passed to third reading.

House Bill 382 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three

several days be suspended and that H. B. No. 382 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Watson |
| Harrington | Wilson |
| Harris | Word |
| Herring | |

Nays—1

Wallace

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 377 on Second Reading

Senator Connally moved that Senate Rules 13 and 110 be suspended and that H. B. No. 377 be taken up for consideration at this time.

The motion prevailed.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 377, A bill to be entitled "An Act prohibiting hunting from any type of aircraft and authorizing hunting from an automobile; amending Article 901, Penal Code of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 377 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three

several days be suspended and that H. B. No. 377 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Kennard

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Concurrent Resolution 25 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 25, Memorializing Congress to urge continued operation of certain Public Health Service facilities.

The resolution was read.

On motion of Senator Jordan and by unanimous consent, the resolution was considered immediately and was adopted.

Memorial Resolutions

H. C. R. No. 62—Memorial resolution for Doyle Oliver Curington.

S. R. No. 574—By Senator Christie: Memorial resolution for Dr. B. F. Stevens.

S. R. No. 579—By Senator Watson: Memorial resolution for Dr. Jack P. Dalton.

S. R. No. 580—By Senator Watson:

Memorial resolution for Mrs. Mittie C. Alexander.

S. R. No. 581—By Senator Watson: Memorial resolution for Mrs. Meud Talbot.

S. R. No. 584—By Senator Watson: Memorial resolution for Albert L. Derden.

S. R. No. 585—By Senator Watson: Memorial resolution for H. W. (Henry) Wright.

S. R. No. 586—By Senator Watson: Memorial resolution for Mrs. J. M. Wilson.

Welcome and Congratulations Resolutions

S. R. No. 573—By Senator Christie: Extending invitation to the Reverend Willis James and his "Youth on the Move" to perform at State Capitol.

S. R. No. 575—By Senator Christie: Extending commendation to Stephen Casares for heroic deed.

S. R. No. 576—By Senator Moore: Extending congratulations to La Grange Lodge No. 30, Independent Order of Odd Fellows.

S. R. No. 577—By Senator Schwartz: Extending welcome to Roy Sneed et al.

S. R. No. 578—By Senator Herring: Extending welcome to teacher and students, Sixth Grade, Travis Heights Elementary School.

S. R. No. 582—By Senator Schwartz: Extending welcome to Robert Moody.

S. R. No. 583—By Senator Herring: Extending welcome to teacher and Fifth Grade Class, Cunningham Elementary School.

S. R. No. 587—By Senator Bridges: Extending commendation to Coach Gil Steinke, Texas A&I University (Amended).

S. R. No. 588—By Senator Bridges: Extending congratulations to Texas A&I University Javelinas.

S. R. No. 589—By Senator Jordan: Extending welcome to sponsors and students, History Classes, Woodson Junior High School of Houston.

S. R. No. 590—By Senator Herring: Extending welcome to teachers and students, Sixth Grade students, Brentwood Elementary School.

Adjournment

On motion of Senator Aikin, the Senate, at 11:07 o'clock a.m., adjourned until 10:00 o'clock a.m. tomorrow.

THIRTY-FIRST DAY

(Thursday, March 4, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|------------|----------|
| Aikin | Jordan |
| Bates | Kennard |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |
| Hightower | |

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

(President Pro Tempore in Chair.)

Bill Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 91.

Reports of Standing Committees

Senator Herring submitted the fol-

lowing report for the Committee on Jurisprudence:

S. B. No. 159 (Reported adversely).

Senator Blanchard submitted the following report for the Committee on Insurance:

S. B. No. 326 (Amended).

Senator Moore submitted the following reports for the Committee on State Affairs:

S. B. No. 124 (Amended).

C. S. S. B. No. 226 (Read first time).

C. S. S. B. No. 123 (Read first time).

Senator Ratliff submitted the following reports for the Committee on Banking:

S. B. No. 465.

S. B. No. 466.

S. B. No. 75 (Amended).

Senator Jordan submitted the following report for the Committee on Labor and Management Relations:

C. S. S. B. No. 334 (Read first time).

Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 447 (Floor Report).

S. B. No. 448 (Floor Report).

H. B. No. 1 (Floor Report).

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 4, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 65, A bill to be entitled "An Act relating to the Firemen's Relief and Retirement Fund in certain cities; amending Section 6C, Subsections (a) and (c) of Section 7D, Subsection (a) of Section 10D, Subsections (a) and (g) of Section 12B,